

## Kuether-Steele, Molly

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**From:** Bauman, Robert  
**Sent:** Thursday, July 19, 2018 8:30 AM  
**To:** Donald Meier  
**Cc:** Lemmer, Jodi; Owczarski, Jim; Kuether-Steele, Molly  
**Subject:** RE: Dear Alderman Bauman

Thanks for your comments. You raise a fair point about enforcement. MPD does not seem to enforce the law regarding bicycles on the sidewalk although generally it appears to me that most bikes are ridden on streets most of the time so the rule seems to be in the general consciousness of most bike riders. MPD is also not enforcing the law regarding scooters up to this point and based on my observation and the observation of others, most scooters are ridden on sidewalks.

The issue of legality as opposed to enforcement goes to the question of whether the city can enact ordinances providing for licensure and regulation of scooters like we are planning to do with dockless bike share. Since our attorneys advise us that scooters are illegal under state law, the city cannot enact local legislation that licenses and/or regulates these vehicles.

I suppose the city could do nothing but this would be tantamount to surrendering our public rights-of-way to anyone who wants to do anything on streets and sidewalks and abdicating our responsibility to balance the interests of the many different users of public rights-of-way like trucks, buses, street railways, pedal taverns, pedicabs, taxis, automobiles, bicycles, construction equipment, wheel chairs, horse drawn carriages, and pedestrians. Someone needs to be the referee of all these divergent users and that referee is state and local government going back hundreds of years. Even the Common Law of England recognized the public's right (through their government) to regulate public rights-of-way in the public interest. This is a basic tenant of American law in all states and in all localities.

My colleagues and I take this responsibility seriously. In fact there are two standing committees (Public Works and Public Safety and Health) that devote the lion share of their work to these issues.

I have to reiterate my many public comments on this topic, namely; we are willing to work with scooter companies or anyone else proposing new mobility equipment provided such equipment can legally operate on public rights-of-way.

Sent from [Mail](#) for Windows 10

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**From:** [Donald Meier](#)  
**Sent:** Wednesday, July 18, 2018 11:30 PM  
**To:** [Bauman, Robert](#)  
**Subject:** Dear Alderman Bauman

I'm a third ward resident in his 50s who doesn't mind the Bird scooters and looks at them as innovative and an alternative form of transportation. Seems odd for a city that wants to progress to take such a negative stand against something new. Seems the city is bent out of shape because they weren't consulted first and aren't familiar with new marketing techniques. Saying it is against state law is a bit disingenuous since the city doesn't enforce laws against bike riding on city sidewalks, which to me is more dangerous to pedestrians downtown and in the third ward than the scooters. I had two quiet bike riders speed past me from behind on the sidewalk while walking my dogs this evening and was more upset at that than anything the scooters have done. So as a tax paying home owner in the third ward, if you're going to take action against the scooters, then you sure as better look equally at the Bublr bike riders. Wouldn't the city be just as much on the hook for a pedestrian accident on the sidewalk with a bike because you don't enforce those laws? Seems you want to selectively choose to enforce the law against the scooters, but choose to blatantly overlook the similar or greater danger of

bike riding on the sidewalks downtown just because you do not like the scooters. Seems somewhat vindictive to me. Just my tax paying two cents.

Sincerely,  
Donald Meier

Sent from my iPhone on Verizon Wireless